

September 8, 2010



Mark Cowin, Director
California Department of Water Resources
P.O. Box 942836, Room 1115-1
Sacramento, CA 94236-0001

Subject: Support for Delta Levees Special Flood Control Projects

Dear Mr. Cowin:

I am writing to thank you for the continued collaboration between your staff and East Bay Municipal Utility District's (EBMUD) staff to secure the timely approval from the Delta Stewardship Council (Council) for the release of \$35 million specifically provided in section 83001 of SB 2X 1 for levee strengthening in the four Reclamation Districts in the Delta. Further, I urge your prompt action to complete project funding agreements between the Department of Water Resources (DWR) and the four Reclamation Districts, and to complete DWR's CEQA determination for the projects. My hope is that we can ask the Council to approve the release of these important funds at their November 18th – 19th meeting and not further delay this important project so we do not miss another construction season.

As you recall, these funds were appropriated by the Legislature and signed into law by the Governor on September 30, 2008. We are now two years later and these funds remain unallocated and it is not clear when this item will come before the Council for their approval. I am concerned that if this item is not approved by the Council at their November meeting, work on these levee improvements will be further delayed.

As you know, EBMUD has partnered with the Reclamation Districts for decades to support levee improvements. EBMUD strongly supports Delta Reclamation Districts 2024 (Orwood and Palm Islands), 2072 (Woodward Island), 2038 (Lower Jones), and 2039 (Upper Jones) applications for levee improvements funding through the Department of Water Resources Delta Levees Special Flood Control Projects Program. We are eager to continue our collaborative efforts with DWR staff to ensure the final approval of Proposition 1E expenditures for these important levee projects.

Since the early 1980s, EBMUD has voluntarily contributed a total of almost \$15 million towards levee repairs and improvements on the five Delta islands that protect Mokelumne Aqueducts. Levee improvements have included raising the crest, reducing levee slopes, and adding riprap for wave protection. Since these levees continue to settle and subside and have failed three times in the past sixty years, levee improvements are necessary to protect the region's agricultural, cultural, and historical resources as well as protect the water supply to over twenty million people.

Failure of one of the levees surrounding EBMUD's aqueducts, and the resulting flooding of one of the islands, would in turn stress adjacent islands, and could result in progressive failures of surrounding levees. This would threaten critical facilities in the area including the Mokelumne Aqueducts, Kinder Morgan petroleum pipeline, Burlington Northern Santa Fe rail line, and State Highway 4. Damage to the levees may also result in adverse impacts to the Old and Middle Rivers that route water to the State Project at the Clifton Court Forebay. Such damage could potentially affect the ecosystems in the Delta, degrade water quality, and compromise the water supply to millions of urban customers and hundreds of farms south of the Delta who rely on this water supply. The financial impact of this would be billions of dollars to the California economy. The breach in the Upper Jones Tract levee in 2004 offered a warning of the potential for the much greater impacts mentioned above.

In light of these very substantial risks, EBMUD is vitally interested in expediting the next steps necessary to implement the levee improvements in a timely fashion. At this point, we have been working with DWR staff on two critical steps necessary for the Delta Stewardship Council to approve the release of the funds for construction.

We are working diligently with your staff to bring this item before the Council at its November 18th – 19th meeting so that construction can proceed in a timely fashion. Let us know, as soon as possible, if there are any issues that will prevent DWR from taking this item back to the Council at its November meeting. If there is any further assistance that my staff can provide on this matter, please let me know, or contact Eileen White at (510) 287-1149.

Thank you, once again, for all your efforts to ensure that these projects to protect a wide range of Delta needs are funded and implemented.

Sincerely,



Dennis M. Diemer
General Manager

DMD:EW:ss

cc: P. Joseph Grindstaff, Interim Executive Officer, Delta Stewardship Council
Keith Coolidge, Deputy Executive Officer, Delta Stewardship Council